

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. ) 3:13-CR-037-LRH-(WGC)  
 )  
PAUL XAVIER ESPINOZA, )  
 )  
Defendant. )

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on January 27, 2014, defendant PAUL XAVIER ESPINOZA pled guilty to Count Three of a Three-Count Criminal Indictment charging him with Use of a Firearm During and in Relation to a Crime of Violence in violation of Title 18, United States Code, Section 924(c)(1)(A). Indictment, ECF No. 1; Change of Plea, ECF No. 25; Plea Agreement, ECF No. 26.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant PAUL XAVIER ESPINOZA pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853:

1. a Sig Sauer 9 mm semiautomatic handgun, Serial Number S148610; and
  2. any and all ammunition
- (all of which constitutes "property").

1 This Court finds the United States of America is now entitled to, and should, reduce the  
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
6 PAUL XAVIER ESPINOZA in the aforementioned property is forfeited and is vested in the United  
7 States of America and shall be safely held by the United States of America until further order of the  
8 Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
10 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
11 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
12 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
13 name and contact information for the government attorney to be served with the petition, pursuant to  
14 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
16 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
17 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the  
18 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
19 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's  
20 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's  
21 petition and the relief sought.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
23 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South  
24 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if  
25 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the  
26 official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
3 following address at the time of filing:

4 Greg Addington  
5 Assistant United States Attorney  
6 100 West Liberty Street, Suite 600  
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
10 following publication of notice of seizure and intent to administratively forfeit the above-described  
11 property.

12 DATED this 29th day of January, 2014.

13   
14 LARRY R. HICKS  
15 UNITED STATES DISTRICT JUDGE  
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